



U.S. Department of Justice

*United States Attorney
District of New Jersey*

970 Broad Street, Suite 700

973/645-2700

Newark, NJ 07102

April 27, 2011

Hon. Jose L. Linares
United States District Judge
Martin Luther King, Jr. Federal
Building & Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: Davis v. United States, Civ. No. 10-4964 (JLL)

Dear Judge Linares:

I am writing to request an additional three-week extension of the May 1, 2011 deadline set for the government's response to the petition to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255, filed by Jamila Davis.

Mr. Thomas H. Nooter, Esq., petitioner Jamila Davis' previous counsel, is intending to provide the government with a certification for the purpose of refuting the ineffective assistance of counsel allegations. However, due to his trial and court commitments and delays attributable to the retrieval of his files from storage, Mr. Nooter has advised me that he needs an additional three weeks in order to properly prepare the certification.

In addition, on April 12, 2011, petitioner Davis filed an addendum to the 2255 petition (document #13), alleging an additional ground for the relief she is seeking.

Thank you very much for your consideration of this request. For the court's convenience, a proposed form of order is attached.

Respectfully yours,

PAUL J. FISHMAN
United States Attorney

s/ Donna Gallucio

By: DONNA GALLUCIO
Assistant U.S. Attorney

c: Jamila Davis
Thomas H. Nooter, Esq.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JAMILA DAVIS	:	Civ. No. 10-4964 (JLL)
	:	
v.	:	Hon. Jose L. Linares
	:	
UNITED STATES OF AMERICA	:	<u>ORDER FOR EXTENSION</u>
	:	<u>OF TIME</u>

THIS MATTER having come before the Court based on the letter request of the United States (Donna Gallucio, Assistant U.S. Attorney, appearing), requesting a three-week extension of the May 1, 2011 deadline set for the government's response to the petition to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255, which has been filed by Jamila Davis and based upon the reasons set forth in the government's letter dated April 27, 2011, and for good cause having been shown,

IT IS on this day of April, 2011,

ORDERED that the government's request of a three-week extension of the May 1, 2011 deadline set for the government's response to the petition to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255, which has been filed by Jamila Davis, is hereby granted; and

IT IS FURTHER ORDERED that the government shall file its response on or before May 23, 2011; and

IT IS FURTHER ORDERED that the Clerk of the court shall cause a copy of this Order to be served upon the United States Attorney and the Petitioner.

HON. JOSE L. LINARES
United States District Judge